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Convention on the Rights of the Child

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Committee on the Rights of the Child
Sixty-seventh session
1–19 September 2014
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined third to fifth periodic reports of Hungary

The State party is requested to submit in writing additional, updated information, if possible before 15 June 2014.

The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).

1. Please clarify the status of the Convention in the domestic legal system of Hungary. Please indicate whether the national courts have invoked the provisions of the Convention, either as grounds for a ruling or as interpretative guidance on legal norms.

2. Please inform the Committee about the content of the 2007–2032 national strategy entitled Making Things Better for our Children, and provide information on the implementation of the concomitant 2007–2010 plan of action, including its outcomes. Please also update the Committee on the most recent plan of action to implement the strategy.

3. Please provide information on the body responsible for the overall coordination of the implementation of the Convention across sectors, and on the mandate and the human, financial and technical resources allocated to the coordinating and implementing bodies.

4. Please indicate whether the State party's budgeting process includes budget allocations specifically for children in the relevant sectors and agencies, and whether there are indicators and tracking systems at all levels. Please also provide information on whether there are targeted budget allocations for children who are in marginalized and vulnerable situations, such as Roma children, children with disabilities, migrant children and children of refugees and asylum seekers.

5. Please indicate how the mandate of the Office of the Parliamentary Commissioner for Fundamental Rights addresses issues related to children's rights, and what human, technical and financial resources are allocated to support its activities. Please also indicate whether the Office receives complaints from or on behalf of children. If so, please provide information on the number, nature and outcome of such complaints.

6. Please indicate whether the recommendations contained in the Committee's previous concluding observations (CRC/C/HUN/CO/2) have been translated into minority languages, and whether children's rights are now part of the school curriculum.

7. Please inform the Committee about measures taken to prohibit and eradicate the widespread discrimination against Roma children, children with disabilities, migrant children and refugee and asylum-seeking children, and to eradicate the rising anti-Semitism.

8. Given that, under Act No. 175 of 2011, children below the age of 14 cannot be official members of associations, even associations established by children themselves, please indicate how the State party ensures that all children below the age of 18 enjoy the right to freedom of association and peaceful assembly, in particular, children below the age of 14.

9. Notwithstanding the fact that, from 1 January 2014, children under the age of 12 cannot be placed in institutions, please inform the Committee about measures to ensure that there are sufficient numbers of foster families for all children in institutions, including children with disabilities, children with special needs and children with multiple siblings. Please clarify how the State party is using the European Union funds it has been allocated for the deinstitutionalization of children. Please also provide information on how the activities of the church organizations responsible for managing foster and institutional care in some counties are monitored and evaluated.

10. Please inform the Committee about measures taken to limit the practice of placing children in interim/temporary care while deciding on their long-term care solutions.

11. Please clarify the rules and regulations that govern the forced separation of children from their parents, especially children of parents without accommodation. Please inform the Committee about the efforts of the State party to provide such families with housing or other support.

12. Please clarify the statutes or regulations governing specialized children's homes, the closed institutions for children above 12 years of age who are considered to be "highly problematic", and indicate the criteria used to identify children as "highly problematic". Please explain the procedures for the placement of children in the specialized children's homes and inform the Committee about complaints mechanisms available to those children. Please also explain how the conditions in the homes are monitored and evaluated.

13. Please inform the Committee about measures taken by the State party to increase the prospects of adoption for Roma children, children with disabilities and children with chronic diseases.

14. Please provide the Committee with information on measures taken by the State party to support families with children with disabilities in order to prevent the children from being institutionalized. Please also clarify the services available in all counties for children with mental disabilities and children with visual or hearing impairments, and indicate what measures have been taken to ensure inclusive education for children with disabilities.

15. Please provide information about measures taken to prevent and reduce the number of mental health problems among adolescents, including steps to reduce the number of suicides and the use of drugs and alcohol.

16. Please provide information on measures to integrate Roma children into mainstream schools and prevent them from being segregated in special schools or classes. Please also inform the Committee about measures to facilitate the integration of migrant children and asylum-seeking and refugee children in regular schools.

17. In the light of the fact that, under the Asylum Act, the State party can detain families with children for up to 30 days, please inform the Committee about measures to ensure that the best interests of the child are a primary consideration in such circumstances. Please also provide information on the methodology used in the age assessment tests for children without identity documents.

18. Notwithstanding the establishment of child-friendly rooms, please provide information on the rules and regulations in the State party that provide for a child-friendly juvenile justice system. Please inform the Committee about measures taken to put a stop to the practice of depriving of their liberty children who commit petty crimes. Please also provide information on the complaints mechanisms available to children who are placed in police custody, closed institutions, prisons and administrative detention.

Part II

In this section, the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:

(a) New bills and laws, and their respective regulations;

(b) New institutions and their mandates, and institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, covering the past three years, on the number of:

(a) Children left in baby boxes;

(b) Cases of forced separation of children from their homeless parents;

(c) Cases of corporal punishment, especially in schools and alternative care settings;

(d) Roma children in regular schools and classes;

(e) Children working in the informal sector and children in street situations;

(f) Asylum-seeking and migrant children in detention centres;

(g) Children in detention facilities and penitentiary institutions, including children detained for petty crimes;

(h) Child-friendly rooms for child victims or perpetrators and data on the use of such rooms;

(i) Parents, guardians or staff of care institutions accused, indicted or convicted of child abuse, including sexual abuse and corporal punishment.

2. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location on the number of children who, in the past three years, have been:

(a) Separated from their parents;

(b) Placed in institutions;

(c) Placed with foster families;

(d) Adopted domestically or through intercountry adoptions, including information on countries of destination.

3. Please provide data disaggregated by age, sex, type of disability, ethnic origin and geographical location, covering the past three years, on the number of children with disabilities who:

(a) Live with their families;

(b) Live in institutions;

(c) Attend regular primary schools;

(d) Attend regular secondary schools;

(e) Attend special schools;

(f) Do not attend school;

(g) Have been abandoned.

4. Please provide information about the number of children, disaggregated by country of origin, who were granted asylum or humanitarian protection and the number who were returned, extradited or expelled in 2011, 2012 and 2013. Please provide details of the grounds on which they were sent back, including a list of countries to which children were returned.

5. Please provide the Committee with an update on any data in the report which may have been superseded by more recent data or other new developments.

6. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.